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9 Attorneys for Plaintiffs

10
 11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

13 JAVIER MUNOZ, an individual; STEVEN
 14 TILLER, an individual; KEVIN LAY, an
 15 individual; JAMES WINN, an individual;
 16 individually, on behalf of the general public, and
 17 on behalf of all others similarly situated,

18 Plaintiffs,

19 vs.

20 UPS GROUND FREIGHT, INC., a business
 21 entity form unknown; OVERNITE
 22 TRANSPORTATION COMPANY, a business
 23 entity, form unknown; MOTOR CARGO, a
 24 business entity, form unknown,

25 Defendants.

Case No. C07-00970 MJJ

Stipulation and [Proposed]
 Order Continuing Hearings on
 Defendants' Motion to Dismiss
 and Motion to Transfer Venue;
 Supporting Declaration of
 Joseph Clapp

Date: June 12, 2007
 Time: 9:30 a.m.
 Courtroom: 11, 19th Floor
 Judge: Hon. Martin J. Jenkins

CLASS ACTION

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1 IT IS HEREBY STIPULATED by the parties to this action, through their respective counsel
2 of record, that the court should issue an order continuing Defendants' Motion to Dismiss in Part
3 Plaintiffs' First Amended Complaint and Defendants' Motion to Transfer Venue, both of which are
4 currently scheduled to be heard before this court at 9:30 a.m. on June 12, 2007, until 9:30 a.m. on
5 June 19, 2007.

6
7 DATED: May 16, 2007

HERRON & HERRON

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9 By: Joseph Clapp
10 JOSEPH CLAPP, ESQ.
11 Attorneys for Plaintiffs

12 DATED: May 16, 2007

PAUL, HASTINGS, JANOFSKY & WALKER LLP

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14 By: Katherine C. Huibonhoa
15 KATHERINE C. HUIBONHOA, ESQ.
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18 IT IS HEREBY ORDERED THAT

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20 Defendants' Motion to Dismiss in Part Plaintiffs' First Amended Complaint and
21 Defendants' Motion to Transfer Venue shall be rescheduled to be heard before this court at 9:30 a.m.
22 on June 19, 2007.

23
24 DATED: May 30, 2007

25 By: Martin J. Jenkins
26 HON. MARTIN J. JENKINS
27 United States District Court Judge
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SUPPORTING DECLARATION OF JOSEPH CLAPP

I Joseph Clapp, declare:

1. I am an attorney with Herron & Herron, attorneys of record for the plaintiffs in this case. I have personal knowledge of the following facts.

2. On May 7, 2007, the defendants served two motions in this action – a motion to dismiss and a motion to transfer venue. The date set for the hearings on these motions is June 12, 2007. On May 8, I spoke with defendants' counsel, Katherine Huibonhoa, and informed her that my family and I would be on vacation during the entire week of June 11 through 15, and asked her whether she would consent to reschedule these motions until the following week. She graciously agreed to do so.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: May __, 2007

By: Joseph Clapp
JOSEPH CLAPP, ESQ.

UPS Freight/pld/dismisscontinuance stip